

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

WILLIAM SMITH,)	
)	
Plaintiff)	
)	
v.)	Civil No. 13-114-J
)	
THE SALVATION ARMY,)	
)	
Defendant)	

ORDER

AND NOW, this 20th day of August, 2015, upon consideration of Defendant Salvation Army's Motion for Summary Judgment (Doc. No. 30) and memorandum and statement of facts in support thereof (Doc. Nos. 31 and 32), filed in the above captioned matter on October 10, 2014, and in further consideration of Plaintiff's responses thereto (Doc. Nos. 33, 34, and 35), filed on November 7, 2014, and in consideration of Defendant's reply (Doc. No. 40) and Plaintiff's response to the reply (Doc. No. 41), both filed on December 15, 2014,

IT IS HEREBY ORDERED that said Motion is GRANTED for the reasons set forth in the Court's Memorandum Opinion filed herewith. Summary Judgment is hereby entered in favor of Defendant as to Counts One and Two, and the Court declines to exercise jurisdiction over Counts Three and Four and hereby dismisses them without prejudice to Plaintiff's right to seek relief in the Pennsylvania Courts. IT IS FURTHER ORDERED that Defendant is not entitled to attorney fees as a prevailing party.

s/Alan N. Bloch
Alan N. Bloch
United States District Judge

ecf: Counsel of Record